

MINUTES
SECURITY SERVICES BOARD
June 9, 2005 - 9:00 A.M.
Room 4A - Fourth Floor - Heber Wells Bldg.
160 East 300 South, Salt Lake City, Utah

CONVENED: 9:04 A.M.

ADJOURNED: 2:30 P.M

PRESENT:

Clyde Ormond, Bureau Manager
LaTonya Green, Board Secretary
Lee Avery, Board Secretary
Board Members:
Jim Young, Chairman
Aleck Shilaos Clayton Merchant
Susan Urses Marci McGregor

ABSENT:

Rick Hawkins

GUESTS:

Robert Anderton, PACSCO; Debbie Harry,
DOPL.

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

ADMINISTRATIVE BUSINESS:

Minutes

A motion was made by Mr. Young and seconded by Mr. Shilaos for the minutes of the April 7, 2005 board meeting to be approved as written. The motion carried unanimously.

APPOINTMENTS and NEW APPLICATIONS received since April 7, 2005 board meeting:

9:15 am
Jeff Bitton

Mr. Bitton met with the Board for his first probation interview. Mr. Ormond reviewed the terms and conditions of the MOU. Mr. Ormond asked Mr. Bitton if he had given a copy of the Memorandum of Understanding to his employer. Mr. Ormond advised Mr. Bitton if he violates the Memorandum of Understanding, there would be administrative action. Mr. Ormond outlined the Random Drug screen process. Mr. Bitton stated that he understood. Ms. Urses said Mr. Bitton should meet with the Board again in October. Mr. Ormond asked if Mr. Bitton had any problems with the conditions of the Memorandum of Understanding. Mr. Bitton wasn't sure about the daily phone calls. Mr. Ormond advised him that it is a requirement, and that he had to maintain a condition of sobriety. Mr. Bitton's next appointment with the Board was set for October 13, 2005 at 9:00am.

9:30 am

Grant Cooper

The Board called Mr. Cooper for a telephone interview via speakerphone. Mr. Ormond advised Mr. Cooper who was present at the meeting, and asked when was the last time he had taken a drug screen. Mr. Cooper said he had taken two: one on May 26, 2005 and another on June 7, 2005. Mr. Ormond stated he only had the results from the test taken on June 7, 2005, and asked Mr. Cooper if he had any problems with the testing procedures. Mr. Cooper said he didn't have issues with testing. Mr. Ormond asked Mr. Cooper about his employer reports. Mr. Cooper couldn't find any of his employer reports because he had a leaking roof and all his files were destroyed. Mr. Ormond said he would fax him some blank forms. Mr. Merchant asked whom Mr. Cooper worked for, and Mr. Cooper replied Galleon Armored. The Board scheduled Mr. Cooper's next interview for October 13, 2005 at 9:30am. Mr. Ormond verified if the phone number used for this interview was his cell phone. Mr. Cooper said yes.

9:45 am

Thon Deng

Mr. Deng appeared before the Board for his probation interview. Mr. Ormond reviewed the terms and conditions of the MOU with him. Mr. Ormond asked Mr. Deng why he tested positive for alcohol on Feb 23, 2005. Mr. Deng said he went to the doctor's office to get medication for back pain, and took the pills during the time of the test. A discussion of the affects of alcohol and what might cause a person to test positive then took place. It was explained to Mr. Deng that a positive test is a violation of his Memorandum of Understanding. Mr. Deng said he received the letter and understood the terms of his Memorandum of Understanding. He stated that he calls every day for his drug screening appointments, and didn't want to lose his license. Ms. Debbie Harry of the Division Probation Section came to the meeting. Ms. McGregor asked Debbie Harry if Mr. Deng had tested for alcohol since testing positive in February. Ms. Harry said he hadn't. Ms. McGregor then asked if Mr. Deng could take a Breathalyzer. Ms. Harry advised she would check. Ms. Harry, said Mr. Deng's level was 480, and 250 is the cut off.

Mr. Shilaos made a motion to have Mr. Deng test after two months and see what the results show. Mr. Deng advised the board that he had legally changed his name to Abraham Cush Lual as of March 2005. Mr. Deng provided the board with original copies of the documentation for updating the Division's database.

10:00 am
Jess Womble

Mr. Womble appeared before the board for his probation interview. He came in full uniform. Ms. McGregor asked the Board members if his uniform was appropriate. Ms. Urses advised Mr. Womble that the words security, or security officer should be visible on the uniform. Mr. Ormond told Mr. Womble to have the company he works for contact him if they need clarification on what the statute says. The Board agreed he looked sharp. Mr. Ormond advised the Board Mr. Womble had been on probation since 2002 to continue through 2007 for an assault charge. He also noted that the last employer report Mr. Womble turned in was in January 2005.

A motion was made by Ms. McGregor and seconded by Ms. Urses that Mr. Womble reply to the Board with a request of completion for the class and have further meetings changed to once a year. Mr. Merchant seconded the motion and the motion carried unanimously. Mr. Womble was advised he would come before the Board again in June 2006. He also noted a letter would be sent out to notify him of the meeting. Ms. McGregor told Mr. Womble to notify DOPL of a new address if he moves.

10:15 am
West Desert Security Inc.
Mark Hayes – QA

Mr. Hayes appeared before the Board for a review of his application to become the Qualifying Agent for West Desert Security Inc. Mr. Ormond advised the Board the company license had expired in 2002. They didn't renew the license and needed to reinstate it. The old qualifying agent was Al Green, and now West Desert Security Inc. has Mark Hayes, who is also the president of the company. Mr. Ormond advised the Board that Mr. Hayes met all requirements, and had his insurance and registrations complete.

Mr. Ormond advised the Board of Mr. Hayes' resume. Mr. Ormond asked Mr. Hayes why he let the license expire. He stated that he had spoken with two of DOPL's licensing technicians, Ryan Cleverly and Jacky Adams, and never received the renewal forms. Mr. Hayes told the Board he received a call from Mr. Kester in investigations asking why he didn't renew. Mr. Hayes said he still didn't get any forms. Mr. Ormond asked if the address was incorrect in our database. Mr. Hayes advised the Board that he only received paperwork addressed to Harrisburg Junction. Mr. Hayes said that Investigations was planning on making him pay a fine. Mr. Ormond said the renewal form was sent to St George. Mr. Ormond and Mr. Hayes agreed there might have been a discrepancy with the zip codes. A motion was made by Ms. Urses and seconded by Mr. Merchant for Mark Hayes to be the qualifying agent for West Desert Security Inc. The motion carried unanimously.

10:30 am
Mark Hall

Mr. Hall did not appear for his 10:30 probation interview. Mr. Ormond advised the Board that a non-compliance letter would be sent out.

10:45 am
Earl Davis

Mr. Davis appeared before the board for his probation interview. Mr. Ormond advised the Board concerning the reasons for the probation. Mr. Davis turned in his employer reports to the Board. Mr. Shilaos asked how often he should be meeting with the Board. Mr. Ormond said every 4 months. Mr. Ormond asked Mr. Davis about counseling. Mr. Davis said he went through an anger management course. Mr. Ormond asked if we had copies of that. Mr. Davis stated that he turned in documentation with all his paperwork from the company but didn't remember the company's name. Mr. Shilaos congratulated Mr. Davis for doing so well, and they would see him in 4 months. Mr. Davis' next appointment was set for October 13, 2005 at 10:30am.

11:00 am
Chad Wink

Mr. Wink did not show for his 11:00 probation interview. Mr. Ormond advised the Board that a non-compliance letter would be sent out.

11:15 am

Richard Guzzle

Mr. Guzzle appeared before the board for his probation interview. An employer report was presented to the Board. Mr. Ormond asked if Mr. Guzzle had any problems. Mr. Guzzle said no, that he enjoyed his job. Mr. Ormond also advised the Board concerning the conditions and reason for the probation. Mr. Guzzle's next appointment was set for October 13, 2005 at 11:15am.

11:30 am

Tommy Gattis

Mr. Gattis did not show for his 11:30 probation interview appointment. A motion was made by the Board for an order to show the motion carried unanimously.

11:45 am

Ryan Thompsett

Mr. Thompsett did not appear before the Board for review of his application of licensure as an unarmed private security officer. Mr. Ormond advised the Board that he has had a temporary license due to his fingerprint cards not coming from the FBI for 7 months. Now that the records have come back they show he has a criminal record as of August 2003 due to wrongful use of a controlled substance. Mr. Ormond advised the board that he answered no to all questions on the qualifying questionnaire in the application. A letter from Mr. Thompsett was reviewed. Mr. Shilaos motioned Mr. Thompsett's application be denied, Ms. Urse seconded the motion, and the motion carried unanimously. Mr. Ormond advised the Board that his temporary license would expire on June 13, 2005.

12:30 pm

Patrick Russell

Mr. Russell appeared before the Board to review his criminal history as it regarded his application for an unarmed security guard license. Mr. Ormond reviewed Mr. Russell's criminal history. Mr. Russell explained the charges against him.

Mr. Ormond advised the Board he was charged with an assault Class B Misdemeanor held in abeyance January 10, 2005. The charge was later dismissed. Mr. Ormond asked Mr. Russell if he went to any anger management courses. Mr. Russell brought a certificate of completion for his anger management course. A motion was

12:45 pm
Elite Executive Security
Keith Wride – QA

made by Mr. Shilaos and seconded by Mr. Merchant to approve Mr. Russell as an unarmed private security officer. The motion carried unanimously.

Mr. Wride appeared before the board to review his application to become the qualifying agent for Elite Executive Security. Mr. Wride is also the president and CEO of the company. Mr. Ormond asked Mr. Wride if he had any employees. Mr. Ormond noted to the Board that Mr. Wride signed the affidavit claiming no employees. Mr. Ormond told Mr. Wride if he is getting employees, then he will need to turn in documentation showing registration with workers compensation, workforce services, Utah State Tax, and Internal Revenue Service.

Mr. Wride also provided the Board with letters of recommendation. Mr. Ormond advised the Board of his resume.

A motion was made by Ms. McGregor and seconded by Ms. Urses for Keith Wride to be the qualifying agent for Elite Executive Security.

1:00 pm
Security Armored Express
Thomas Segura – QA

Mr. Segura did not appear before the Board to review his denied application to become the qualifying agent for Security Armored Express. Mr. Ormond advised the Board that Mr. Segura wanted to dispute his denial, and find out what he needed to do to get approved. Mr. Ormond said an investigation was in place and would advise the board of the outcome.

1:15 pm
Michael Trask

Mr. Trask appeared before the board for his probation interview. Mr. Ormond advised the Board he had been on probation since 2003, and will be finished in October 2005. Mr. Ormond asked if the reason he missed his probation interview in April was due to being overseas. Mr. Trask said no, he accidentally wrote the appointment down incorrectly. Ms. Urses suggested Mr. Trask come before the Board once more after being employed. Mr. Merchant made a motion to take Mr. Trask off of probation. Mr. Shilaos seconded the motion, and the motion carried unanimously. Mr. Trask

advised the Board his domestic violence charge had been expunged. Mr. Shilaos told him to bring in that documentation.

1:30 pm

Adam Ellison

Mr. Ellison did not show for his 1:30 appointment to review his application for licensure as an unarmed private security officer. Ms. Urses moved his license be denied, Mr. Shilaos seconded the motion, and the motion carried unanimously.

Later that day a voice mail was left from Mr. Ellison stating that he wanted to reschedule his appointment with the Board due to an unexpected engagement he had to attend.

1:45 pm

Angel Segura

Mr. Ormond advised the Board of Mr. Segura's application. He applied in October 2004, and had marked no on all questions of the qualifying questionnaire. But when Mr. Segura's fingerprint cards returned from the FBI, it showed he had a case out of San Usedro, Chula Vista California. Mr. Segura explained the violation. Mr. Ormond read to the Board a letter Mr. Segura had written to DOPL. Ms. McGregor motioned that the Board approve his license because he made an honest mistake. Mr. Shilaos moved that Mr. Segura be denied, and then reapply with an honest answer on the qualifying questionnaire.

Ms. Urses asked Mr. Ormond what the process would be. Mr. Ormond said that Mr. Segura would receive a denial letter, and then he could just reapply with a \$60.00 fee. Mr. Ormond also noted that he wouldn't need to submit new fingerprint cards. There would then be a 5 to 6 day waiting period. Ms. McGregor seconded Mr. Shilaos' motion. The motion carried unanimously.

2:00 pm

Guardsmark LLC

Myrna Stupelli – QA

Ms. Stupelli appeared before the Board to review her application to become the qualifying agent for Guardsmark, LLC. She advised the Board that she had been employed with Guardsmark for 15 years, and the company wants her to do the licensing for their branch. Mr. Ormond advised the Board that she worked with Guardsmark as a security officer since

March 1991. Ms. McGregor made a motion to approve Myrna Stupelli as the new qualifying agent for Guardsmark, LLC. Ms. Urses seconded, and the motion carried unanimously.

2:15 pm
Delores Pleasant

Ms. Pleasant appeared before the Board to review her criminal history as it related to her application for an Unarmed Private Security Officer license. Mr. Ormond advised the Board she applied on May 22, 2005. Mr. Ormond advised the Board that Ms. Pleasant was charged on July 22, 2001 with interfering with an officer and obstruction of justice. A discussion concerning the issues was completed. A motion was made by Ms. McGregor and seconded by Mr. Shilaos that Ms. Pleasant be issued an Unarmed Guard License, the motion carried unanimously.

2:30 pm
J.T Security
John Evans – QA

Mr. Ormond advised board that Mr. Evans submitted the wrong application to become the qualifying agent for his company, J.T Security. Mr. Ormond stated that Mr. Evans is chief of police for Richfield city, and has been an officer, a sergeant, and a lieutenant. He presented many letters of recommendations. Mr. Ormond stated that Mr. Evans has the experience, he only needed to take his tests. A motion was made by Ms. Urses to approve Mr. Evans as the qualifying agent for J.T Security contingent upon passing the qualifying agent exam. Ms. McGregor recused herself from the vote. Mr. Merchant seconded the motion, and the motion carried unanimously.

DISCUSSION ITEMS:

Security Rules Definitions

Mr. Ormond explained that the question was asked by the association as to whether the terms ticket taker and usher needed to be defined. Mr. Shilaos stated that the statute is clear, and security officers should be the only concern of the Division. Mr. Young said there is however some conflict when a security officer might control traffic, or other things. Mr. Ormond said the statute clarifies the security function. Ms. McGregor said security officers can usher, but when ushers start preventing the movement of people then they are securing. Ms. Urses and

Mr. Shilaos agreed that the statute shouldn't change.

Todd May

Mr. Ormond advised the Board that at the last meeting, Utah Private Detection agency could be licensed, but Mr. May needed to get a new qualifying agent. It has been 58 days and no information has been received. Mr. Ormond advised the Board that Todd May was out of compliance.

CORRESPONDENCE:

Security Guards Accused of Impersonating Police

Mr. Ormond read to the Board a newspaper article regarding police impersonators.

NEXT MEETING:

August 11, 2005

DATE APPROVED

CHAIRPERSON, CONTRACT SECURITY SERVICES

DATE APPROVED

BUREAU MANAGER, DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING